

MINUTES FOR OCTOBER 6, 2020
VALLEY TOWNSHIP BOARD OF SUPERVISORS

The first monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, October 6, 2020, via virtual meeting through *Go To Meeting*.

The Board of Supervisors meeting was called to order by Chairwoman Patrice Proctor at 7:32 p.m. Those participating in the meeting were Supervisors Kathy O’Doherty, Sharon Yates, Carmen Boyd, and Patrice Proctor. Supervisor Christopher Lehenky did not participate. Also participating in the meeting were Amanda Sundquist, Esquire of Unruh, Turner, Burke & Frees (Township Solicitor); Michael J. Ellis, P.E., of Pennoni Associates, Inc. (Township Engineer); and Kris Lenhart, Township Roadmaster.

It was noted that the meeting was being conducted through *Go To Meeting* to comply with Governor Wolf’s order that all individuals in Chester County stay home in an effort to slow the spread and minimize public exposure to COVID-19 and maintain social distancing.

ANNOUNCEMENT OF MEETINGS/ACTIONS OF THE BOARD

Ms. Proctor noted that the Board of Supervisors were in Executive Session at 6:30 p.m. this evening discussing potential litigation and matters relative to the sale of the water and sewer systems.

CITIZEN COMMENTS ON AGENDA ITEMS

None.

APPROVE MINUTES AS WRITTEN

Ms. O’Doherty made a motion, seconded by Ms. Yates, to approve the minutes of the September 15, 2020, Board of Supervisors meeting. The motion passed unanimously.

APPROVE PAYMENT OF BILLS

Ms. Boyd made a motion, seconded Ms. Yates, to approve payment of bills as presented. The motion passed unanimously.

BOARD GENERAL COMMENTS

Ms. Proctor reviewed the upcoming yard waste collection dates.

CITIZEN’S REQUEST TO BE ON THE AGENDA

An internal memorandum from Janice Duca, Senior Clerk, was reviewed advising that Mark Barnett, 153 Dague Farm Drive, was seeking an adjustment on his utility bill and advised that he

would be submitting a request to be on the agenda. Although no request was received, the Board reviewed the information provided by Ms. Duca noting that his water and sewer bill was higher than normal due to the filling of a swimming pool. Ms. Duca stated that Mr. Barnett understood that his water bill would have increased, but he does not believe that he should have to pay the higher sewer charge. The Board noted that the Township includes annual reminders about water use and the effect on public sewer. Ms. O'Doherty calculated that the additional amount would be in the range, if not lower, if he had water delivered. The consensus of the Board was that no adjustment for sewer would be given.

SOLICITOR'S REPORT

Discussion regarding notification of nearby property owners of by-right subdivision and land development projects – Ms. Sundquist reviewed an ordinance for consideration that would provide for notification of plan review whereby at least 15 days in advance of the first scheduled Township Planning Commission meeting date where the preliminary plan is reviewed, the applicant shall by certified mail provide written notice of the Township Planning Commission meeting to the owner of every lot on the same street within 500 feet of the lot(s) which is the subject of the preliminary plan and every lot not on the same street within 200 feet of the lot(s) which is the subject of the preliminary plan. Following discussion, the consensus of the Board was for Ms. Sundquist to draft the ordinance, forward to the Township and Chester County Planning Commissions for review and advertisement for Board of Supervisor consideration for adoption.

OLD BUSINESS

Discussion/consideration regarding Township entry in Zoning Hearing for 121 North Mt. Airy Road to locate a shed within side and or rear yard – The Board reviewed the upcoming Zoning Hearing scheduled for October 7 for 121 North Mt. Airy Road. The consensus of the Board was not to take a position at the hearing.

Discussion/consideration regarding Township entry in Zoning Hearing for got 1055 West Lincoln Highway for relief from applicable use restrictions in order to use the property and appeal from denial of a zoning permit to locate a new second dwelling on the property – The Board reviewed the upcoming Zoning Hearing scheduled for October 22 for 1055 West Lincoln Highway. After discussion, it was the consensus of the Board to enter into the hearing to oppose any uses not permitted on the property to keep in line with the Township's zoning regulations.

At this time, Ms. Sundquist departed the meeting.

ENGINEER'S REPORT

Discussion/consideration regarding Valley View Business Park Lot 6 (G. A. Vietri) Financial Security Release – Based on the recommendation of the Township Engineer, **Ms. O'Doherty made a motion, seconded by Ms. Boyd, to approve Valley View Business Park Lot 6 Financial Security Release #1 in the amount of \$12,380.00 requested by GregCo Real Estate Holdings, LLC.** The motion passed unanimously.

Discussion/consideration regarding Valley View Business Park Lot 7 (Little Red Dog LLC) Financial Security Release – Based on the recommendation of the Township Engineer, **Ms. O’Doherty made a motion, seconded by Ms. Yates, to approve Valley View Business Park Lot 7 Financial Security Release #1 in the amount of \$132,077.06 requested by Little Red Dog LLC.** The motion passed unanimously.

Discussion/consideration regarding whether or not to install structures, such as bollards, decorative concrete planter boxes, guide rail, larger boulders, etc. to protect the equipment around the Municipal Building – Mr. Ellis reviewed the site plan for the Township Complex property and areas of concern to possibly add additional bollards or decorative planters around certain areas to protect the building and equipment. Mr. Ellis suggested additional bollards be placed at the north end of the building where some currently exist to protect the generator. There was discussion regarding protection on the front of the building (east side) and samples of concrete planters were shown. For the south side of the building – the side facing Business Route 30 – Mr. Ellis suggested using the existing pile of large boulders near the digital sign and the main entrance and strategically place them in front of the south side of the building, perhaps working them in with landscaping. There was also discussion regarding protection of the cooling tower on the west side of the building. Mr. Lenhart advised that a representative from Guardian was onsite at the building today. Guardian is the vendor who does routine maintenance on the cooling tower and they advised that the Township should, at a minimum, have a protective fence around the tower which should be a distance of three feet from the tower. The representative, Ken Kull, advised that a sample of a nearby location that they service is St. Martha Manor in Downingtown. It was noted that a decorative enclosure could be added, but Mr. Lenhart stressed for physical protection and to prevent vandalism damage of the equipment, that fencing with gate should be addressed. Mr. Ellis advised that he would look into the protection of the cooling tower and options with Township Personnel.

Discussion/consideration to approve payment application for the 2020 Road Program – Mr. Ellis presented Advanced Pavement Group’s payment application #1 for the 2020 Road Program work. Mr. Ellis advised that they recommend holding 5% retainage until the remaining inlet steps are installed. He also noted that curb work in the amount of \$5,041.30 was not eligible for payment out of liquid fuels. Based on the recommendation of the Township Engineer, **Ms. O’Doherty made a motion, seconded by Ms. Yates, to approve payment in the amount of \$284,907.95 for payment application #1 for the 2020 Road Program and holding 5% retained until the remaining inlet steps are installed.** The motion passed unanimously.

Mr. Ellis submitted the Engineer’s Report which is on file in the Township Office.

The following items from the report were reviewed:

- Oakcrest Phase II – Mr. Ellis reported that the punchlist is continuing. He noted that they reviewed and provided comments to the plans that proposed to regrade the open space area behind West Chestnut Street with excavated soils from infiltration bed 204/205.
- 2020 Road Program – Ms. Ellis noted that quotes were obtained to restripe Country Club Road; the lowest quote was from Advanced Pavement Group in the amount of \$2,800.

Ms. Boyd made a motion, seconded by Ms. Yates, to issue a purchase order to Advanced Pavement Group to restripe County Club Road from Route 30 a couple hundred feet at a price of \$2,800. The motion passed unanimously. Ms. O’Doherty inquired if this includes reflectors and noted her recommendation to include reflectors in all future work and to continue to work on a road striping program.

- Concord Street Reconstruction – Mr. Ellis reported that utility test began yesterday. He also noted that only one resident attended the two project information meetings that were scheduled. It was proposed to deliver one more information letter regarding the project and post weekly updates on the website.
- 1895 Valley Road – Pennoni discussed the proposed sewer connection with PAWC and

At this time, Mr. Ellis departed the meeting.

OLD BUSINESS CONTINUED

Discussion/consideration regarding 2020 “Trick or Treat” – The Board discussed “trick or treat” during the COVID-19 pandemic. In addition they consider the Police Department willing to try and do a “Trunk or Treat” if they could obtain use of the Rainbow Elementary School parking lot. After reviewing the CDC recommendations for safety for Halloween, the Board felt that the “Trunk or Treat”, although an excellent program for the police and local residents, it is not recommended that they pursue it for this year. It was the consensus of the Board, in alignment with the CDC’s recommendations regarding “Trick or Treat”, not to endorse trick or treating this year. However, if parents/legal guardians will assume the risk, liability, and supervision of their children, the Board requests that trick-or-treating be held within the Township on Saturday, October 31, 2020, between the hours of 5:00 – 7:00 p.m. and is for Township children only. Further, it is requested that the tradition of those homes who are NOT participating keep their front door lights off and that these homes are not visited for trick-or-treating. Anyone actively participating will be required to adhere to existing COVID-19 public health guidelines (i.e., social distancing, mass gatherings, etc.) issued by the CDC, Governor’s Office, and State and Local Health Departments. As we get closer to the date, it is quite possible that the aforementioned agencies could issue restrictions or limitations as we continue to adapt to the progression of the pandemic. Any changes to the Township’s position regarding trick or treat will be conveyed through this website.

Discussion/consideration regarding website design/maintenance – Four proposals were presented for consideration. Ms. O’Doherty noted that she did not have time to review. There was a question regarding one proposal if they did all the updates or if Valley staff would have access to do routine updating with maintenance support from the webmaster and at what rate. The Board opted to table any decision to the next meeting.

Discussion/consideration regarding Wildlife signage for Township Parks – Ms. O’Doherty review wildlife signs for the Township Parks and Township Complex noting approximately 8 signs would be needed. The Board concurred with the placement of signs. She stated that she would work on a draft sign content that would be applicable to or area.

NEW BUSINESS

Discussion/consideration to approve letter of support for West Brandywine Township's MultiModal Transportation Fund Grant Application for Pratts Dam Road Project – Request was made from West Brandywine Township's Board of Supervisors for a support letter for their Pratts Dam Road Project. The consensus of the Board was to provide West Brandywine Township with a letter of support for their grant submission under the MultiModal Transportation Fund Grant Program for their Pratts Dam Road Project.

Discussion/consideration to authorize Chester County Planning commission review of the Coatesville Area Economic Development Study – The Board to concur to authorize the Township Secretary, in the Township's absence, to send an eMail to Kevin Myers of the Chester County Planning Commission requesting the VPP review of the Coatesville Area Economic Development Study.

Consideration to accept the resignation of Lois Jawers from the EAC – Ms. Jawers has advised that due to her job and personal life, she is not able to commit to the EAC. **Ms. O'Doherty made a motion, seconded by Ms. Yates, to accept the resignation of Lois Jawers from the EAC.** The motion passed unanimously.

Consideration to close Sewer Fund Money Market account at CSB/Prosper Bank and transfer balance to Sewer Fund checking account and consideration to close General Fund Money Market account at CSB/Prosper Bank and transfer fund balance to General Fund Checking Account – Ms. Rambo advised that with CSB being merged with Prosper Bank, two accounts were charged with a \$10 minimum account balance fee – a Sewer Fund Money Market account with a balance of \$48.02 and a General Fund Money Market with a balance of \$265.14. She stated that the branch manager advised that she would refund each account with the \$10 fee deduction. It was recommended to close these two accounts and transfer the balances to the respective fund checking accounts. This would eliminate two low fund accounts needing to be reconciled and audited. **Ms. Boyd made a motion, seconded by Ms. Yates, to close the Sewer Fund Money Market at CSB/Prosper Bank and transfer balance to the Sewer Fund Checking Account and to close the General Fund Money Market at CSB/Prosper Bank and transfer the balance to the General Fund Checking Account.** The motion passed unanimously.

CITIZEN COMMENTS

Louise Smith, 222 Peck Drive – Ms. Smith inquired if consideration has been given to stripe Rainbow Road. Mr. Lenhart confirmed that Rainbow Road has never been striped. Ms. O'Doherty stated that a road striping program needs to be incorporated into the road program.

There being no further business to discuss, the meeting was properly adjourned at 10:34 p.m.

Janis A. Rambo
Township Secretary